

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1190 be amended to read as follows:

- 1 Page 2, line 30, strike "five hundred thousand".
- 2 Page 2, line 31, strike "(500,000)" and insert "**one million**
- 3 **(1,000,000)**".
- 4 Page 2, line 41, strike "premises;" and insert "**premises if each**
- 5 **employee serving wine has a valid employee permit and has**
- 6 **undergone a server training program approved by the**
- 7 **commission;**".
- 8 Page 3, line 6, reset in roman "either".
- 9 Page 3, line 7, after "wholesale" delete ";".
- 10 Page 3, line 7, reset in roman "or retail;".
- 11 Page 3, between lines 35 and 36, begin a new paragraph and insert:
- 12 "SECTION 6. IC 7.1-3-12-8 IS ADDED TO THE INDIANA
- 13 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 14 [EFFECTIVE JULY 1, 2006]: **Sec. 8. (a) For purposes of this section,**
- 15 **"permit" means a limited direct to consumer wine seller's permit**
- 16 **issued under this section.**
- 17 **(b) The commission may issue a one (1) year permit to:**
- 18 **(1) an individual; or**
- 19 **(2) a partnership, limited liability company, or corporation**
- 20 **domiciled in or admitted to do business in Indiana;**
- 21 **that holds a farm winery permit under IC 7.1-3-12-3.**
- 22 **(c) The commission shall charge an annual fee of five hundred**
- 23 **dollars (\$500) for each permit issued under this section.**
- 24 **(d) The holder of a permit may sell only wine produced on a**

1 farm winery owned by the permit holder.

2 (e) The holder of a permit under this section may sell wine
3 directly to consumers in an amount not to exceed:

4 (1) two (2) cases to an individual each month; and

5 (2) a total of seven thousand five hundred (7,500) cases per
6 year.

7 (f) The holder of a permit must mark on the outside of a
8 shipping package:

9 (1) the contents of the shipment; and

10 (2) an identifying number.

11 (g) The holder of a permit shall provide the commission, law
12 enforcement agencies, and state taxing authorities with information
13 on the:

14 (1) quantity and destination of wine shipped to a consumer by
15 the permit holder;

16 (2) identity of individuals to whom the wine is shipped; and

17 (3) purchases by consumers.

18 (h) The holder of a permit must ensure, either at the time of the
19 order if the order is made in person at the farm winery or through
20 an agreement with the individual or company delivering the wine,
21 that the consumer meets the following requirements:

22 (1) The consumer is at least twenty-one (21) years of age.

23 (2) The consumer is a resident of Indiana.

24 SECTION 7. IC 7.1-3-12-9 IS ADDED TO THE INDIANA CODE
25 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE
26 JULY 1, 2006]: Sec. 9. (a) For purposes of this section, "permit"
27 means a farm winery wholesaler permit issued under this section.

28 (b) The commission may issue a one (1) year permit to:

29 (1) an individual; or

30 (2) a partnership, limited liability company, or corporation
31 domiciled in or admitted to do business in Indiana;

32 that holds a farm winery permit under IC 7.1-3-12-3.

33 (c) The commission shall charge an annual fee of five hundred
34 dollars (\$500) for each permit issued under this section.

35 (d) The holder of a permit may sell only wine produced on a
36 farm winery owned by the permit holder.

37 (e) The holder of a permit under this section may sell wine
38 directly to the holder of a retailer permit in an amount not to
39 exceed:

40 (1) two thousand five hundred (2,500) cases per year; and

41 (2) fifty (50) cases to the holder of a retailer permit in any one
42 (1) month.

43 (f) The holder of a permit shall provide the commission, law
44 enforcement agencies, and state taxing authorities with information
45 on the:

46 (1) quantity and destination of wine shipped to a consumer by

- 1 **the permit holder;**
- 2 **(2) identity of individuals to whom the wine is shipped; and**
- 3 **(3) purchases by consumers."**

4 Page 3, delete lines 36 through 42.

5 Page 4, delete lines 1 through 41.

6 Renumber all SECTIONS consecutively.

(Reference is to HB 1190 as printed January 24, 2006.)

Representative Stutzman